

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) Cr. A. No. 04-10044-MLW
)
EDWIN SERRANO)

ORDER

WOLF, D.J.

March 10, 2006

In the attached December 5, 2005 Order, the court ordered that "[t]he United States Marshal for the District of Massachusetts shall deliver [defendant Edwin] Serrano in response to any state court writ of habeas corpus: In the enclosed February 26, 2006 letter, Serrano's counsel states that "[a] hearing was held [in Middlesex Superior Court] before Judge Zobel on February 24, and the marshals had still not brought Mr. Serrano in." Defense counsel does not state whether a writ of habeas corpus had been used for Serrano to appear on February 24, 2006.

Accordingly, it is hereby ORDERED that:

1. Acting Marshal William Fallon shall, by March 15, 2006, file an affidavit stating whether a writ of habeas corpus was issued for the production of Serrano in state court on February 24, 2006.

2. If such a writ of habeas corpus was issued, in his affidavit, the Acting Marshal should seek to explain why the court should not institute civil and/or criminal contempt proceedings for

the failure to obey the December 5, 2005 Order.

/s/ MARK L. WOLF
UNITED STATES DISTRICT JUDGE